

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7598

Investigation of Tariff filing of Vermont Marble )  
Power Division of OMYA, Inc., requesting a rate )  
increase and rate design changes, effective )  
March 1, 2010 )

Order entered: 3/18/2010

**PREHEARING CONFERENCE MEMORANDUM**  
**AND SCHEDULING ORDER**

On March 11, 2010, I held a prehearing conference in this Docket. Appearances were entered by: Hans Huessy, Esq., Kenlan, Schwiebert, Facey & Goss, P.C., on behalf of Vermont Marble Power Division of OMYA, Inc. ("Vermont Marble"); and Sarah Hofmann, Esq., on behalf of the Vermont Department of Public Service ("Department"). Jon Readnour, Esq., Readnour Associates, P.C., on behalf of Vermont Quarries Corporation ("Vermont Quarries"), attended the prehearing conference and stated that Vermont Quarries intends to file a motion to intervene.

At the prehearing conference, the parties discussed whether to resolve the rate increase and rate design issues at the same time, or to wait to address the rate design issues until after the rate increase issues were resolved.<sup>1</sup> Ultimately, the parties developed a schedule only for the requested increase in rates, except that Round I discovery requests on Vermont Marble and settlement negotiations may include the requested changes to rate design. After time for settlement negotiations, parties may propose changes to the schedule to reflect a settlement or

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1. See 30 V.S.A. § 227(a).

partial settlement, and a schedule that includes rate design along with the requested increase in rates.<sup>2</sup>

I hereby adopt the schedule discussed at the prehearing conference. Responses to each motion to intervene will be due one week after the motion is filed. The schedule is as follows:

March 25, 2010	Vermont Marble prefiles testimony and motions to intervene due
April 1, 2010	Round I discovery on Vermont Marble
April 8, 2010	Public Hearing
April 12, 2010	Round I responses to discovery by Vermont Marble
April 12-23, 2010	Settlement negotiations
April 26, 2010	Parties file stipulation and status report with any proposed schedule changes
May 3, 2010	Department and intervenors prefile testimony
May 10, 2010	Round I discovery on Department and intervenors
May 20, 2010	Round I responses to discovery by Department and intervenors
May 28, 2010	Vermont Marble prefiles rebuttal testimony
June 7, 2010	Round II discovery on Vermont Marble
June 14, 2010	Round II responses to discovery by Vermont Marble
June 29, 2010	Department and intervenors prefile rebuttal testimony
July 8-9, 2010	Technical Hearings
July 19, 2010	Briefs
July 30, 2010	Reply briefs
September 3, 2010	Target date for Proposal for Decision
September 13, 2010	Comments on Proposal for Decision <sup>3</sup>
September 28, 2010	Target date for Public Service Board Order

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2. As discussed at the prehearing conference, changing the schedule to include rate design issues would be conditioned upon Vermont Marble's agreement to an extension of the seven-month deadline for a final order pursuant to 30 V.S.A. § 227. Otherwise, the schedule adopted in today's Order will be followed by a seven-month schedule addressing the proposed rate design changes.

3. Comments on the Proposal for Decision should be filed by noon, on Monday, September 13, 2010.

Because the case is being heard by a Hearing Officer, parties need file only an original and two copies of all filings and one copy of discovery requests and responses. In addition, parties are requested to provide an electronic copy of their filings in this docket, followed by a paper copy (e-mail submission to [psb.clerk@state.vt.us](mailto:psb.clerk@state.vt.us) is acceptable).

**SO ORDERED.**

Dated at Montpelier, Vermont, this 18<sup>th</sup> day of March, 2010.

s/Mary Jo. Krolewski  
Mary Jo Krolewski  
Hearing Officer

OFFICE OF THE CLERK

FILED: March 18, 2010

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [psb.clerk@state.vt.us](mailto:psb.clerk@state.vt.us))*